

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Gary Karlin Michelson, M.D.)
Serial No.: (Cont. of 09/790,008)) (Group Art Unit: 3731)
Filed: January 26, 2004) (Examiner: M. Thaler)
For: SURGICAL RONGEUR)

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed concurrently with the present application.

Copies of the listed documents were previously cited in a prior application, Serial No. 09/790,008, filed February 21, 2001; Serial No. 08/108,908, filed August 18, 1993; Serial No. 07/905,127, filed June 24, 2002; or Serial No. 07/398,987, filed August 28, 1989; upon which applicant relies for the benefits provided in 35 U.S.C. § 120.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

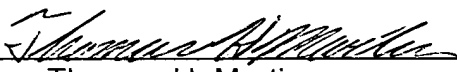
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1066.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: January 26, 2004

By: 
Thomas H. Martin
Registration No. 34,383

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (330) 877-0700
Facsimile: (330) 877-2030

*Substitute for FORM PTO-1449			Attorney Docket Number 101.0036-02000		Custom r No. 22882	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION			Applicant Gary Karlin Michelson, M.D.		Application Number (Cont. of 09/790,008)	
(Use several sheets if necessary) Sheet <u>1</u> of <u>1</u>			Filing Date January 26, 2004		Group Art Unit (3731)	Examiner (M. Thaler)
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1,127,948	02/1915	Wappler			
	2,984,241	05/1961	Carlson			
	3,628,524	12/1971	Jamshidi			
	3,752,161	08/1973	Bent			
	3,842,839	10/1974	Malis et al.			
	3,902,498	09/1975	Niederer			
	3,949,747	04/1976	Hevesy			
	4,122,856	10/1978	Mosior			
	4,201,213	05/1980	Townsend			
	4,416,278	11/1983	Miller			
	4,662,371	05/1987	Whipple et al.			
	4,722,338	09/1988	Wright			
	4,733,663	03/1988	Farley			
	4,760,848	08/1988	Hasson			
	4,777,948	10/1988	Wright			
	4,990,148	02/1991	Worrick, III et al.			
	5,009,661	04/1991	Michelson			
	5,026,375	06/1991	Linovitz et al.			
	5,061,269	10/1991	Muller			
	5,273,519	12/1993	Koros et al.			
	5,275,607	01/1994	Lo et al.			
	5,451,227	09/1995	Michaelson			
	5,653,713	08/1997	Michelson			
	5,702,420	12/1997	Sterling et al.			
	5,782,849	7/1998	Miller			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	3 709 067	09/1988	Germany			Abstract Only
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
EXAMINER			DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.						